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Attorneys for Defendants Atheros Communications,  
Inc., Willy C. Shih, Teresa H. Meng,  
Craig H. Barratt, Andrew S. Rappaport, Dan A. Artusi,  
Charles E. Harris, Marshall L. Mohr, and Christine King

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

JOEL KRIEGER, Individually and on Behalf  
of All Others Similarly Situated,  
  
Plaintiff,  
  
vs.  
  
ATHEROS COMMUNICATIONS, INC.,  
DR. WILLY C. SHIH, DR. TERESA H.  
MENG, DR. CRAIG H. BARRATT,  
ANDREW S. RAPPAPORT, DAN A.  
ARTUSI, CHARLES E. HARRIS,  
MARSHALL L. MOHR, CHRISTINE  
KING, QUALCOMM INCORPORATED,  
AND T MERGER SUB, INC.

Defendants.

No. 5:11-CV-00640-LHK

STIPULATION AND ~~PROPOSED~~  
ORDER REGARDING STAY OF  
DISCOVERY, CASE MANAGEMENT  
AND ADR DEADLINES

Judge: Hon. Lucy H. Koh  
Date Action Filed: February 10, 2011

1 Plaintiff Joel Krieger (“Plaintiff”), by and through his undersigned counsel, and  
2 defendants Atheros Communications, Inc., Dr. Willy C. Shih, Dr. Teresa H. Meng, Dr.  
3 Craig H. Barratt, Andrew S. Rappaport, Dan A. Artusi, Charles E. Harris, Marshall L.  
4 Mohr, Christine King (the “Atheros Defendants”), Qualcomm Incorporated and T Merger  
5 Sub, Inc., by and through their undersigned counsel (collectively, with the Atheros  
6 Defendants, the “Defendants”), hereby stipulate and agree as follows:

7 WHEREAS, on February 10, 2011, Plaintiff filed a complaint alleging violations of  
8 the federal securities laws and state breach of fiduciary duty laws;

9 WHEREAS, on March 4, 2011, the Court entered an order staying Plaintiff’s state  
10 law claims for breach of fiduciary duty;

11 WHEREAS, on April 11, 2011, the Atheros Defendants moved to dismiss Plaintiff’s  
12 federal securities law claims;

13 WHEREAS, Plaintiff intends to amend the federal claims alleged in his complaint;

14 WHEREAS, pursuant to the Order Setting Initial Case Management Conference and  
15 ADR Deadlines filed on February 10, 2011 (“Case Management Order”), the parties are  
16 required to: (a) meet and confer pursuant to Fed. R. Civ. P. 26(f) and ADR L.R. 3-5, file  
17 ADR Certification signed by Parties and Counsel, and file either Stipulation to ADR  
18 Process or Notice of Need for ADR Phone Conference by April 20, 2011; (b) file Rule  
19 26(f) Report, complete initial disclosures or state objections in Rule 26(f) Report and file  
20 Case Management Statement by May 4, 2011; and (c) participate in an initial case  
21 management conference on May 11, 2011 (collectively, the “Case Management  
22 Deadlines”);

23 WHEREAS, the Private Securities Litigation Reform Act of 1995 provides that,  
24 upon the filing of the motion to dismiss in a private securities fraud class action, “all  
25 discovery and other proceedings shall be stayed during the pendency” of such motion;

WHEREAS, in light of the Atheros Defendants' pending motion to dismiss and Plaintiff's intention to amend their federal securities law claims in the complaint, the parties wish to continue the Case Management Deadlines until after such time as an amended complaint is filed, and the current or any subsequent motion to dismiss has been decided by this Court.

NOW THEREFORE, the parties stipulate and agree, and the Court hereby orders, as follows:

1. The Initial Case Management Conference currently set for May 11, 2011 and other Case Management Deadlines shall be taken off calendar;

2. The parties shall submit a stipulation with a proposed date and time for the Initial Case Management Conference and other Case Management Deadlines within fourteen (14) days after such time as the current or any subsequent motion to dismiss has been decided by this Court.

Dated: April 19, 2011

FARUQI & FARUQI, LLP  
VAHN ALEXANDER  
1901 Avenue of the Stars, Second Floor  
Los Angeles, CA 90067

By /s/ Vahn Alexander  
Attorneys for Plaintiff Stanley Joel Krieger

Dated: April 19, 2011

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By /s/ David M. Furbush  
Attorneys for Defendants Atheros  
Communications, Inc., Craig H. Barratt,  
Willy C. Shih, Andrew S. Rappaport,  
Daniel A. Artusi, Charles E. Harris,  
Marshall L. Mohr, Christine King, and  
Teresa H. Meng

1 Dated: April 19, 2011

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DAVID PRIEBE  
2000 University Avenue  
East Palo Alto, CA 94303

4 By /s/ David Priebe  
Attorneys for Defendants Qualcomm Incorporated  
and T Merger Sub, Inc.

7 **ATTESTATION PURSUANT TO GENERAL ORDER 45**

8 I, David M. Furbush, attest that concurrence in the filing of this document has been  
9 obtained from the other signatories. I declare under penalty of perjury that the foregoing is  
10 true and correct.

11 By /s/ David M. Furbush  
12 David M. Furbush

14 \* \* \*

15 **ORDER**

16  
17 PURSUANT TO STIPULATION, IT IS SO ORDERED.

18  
19 Dated: April 22, 2011

  
\_\_\_\_\_  
20 THE HONORABLE LUCY H. KOH